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REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS TWENTY-EIGHTH SESSION

Implementation of paragraph 8 of General Assembly resolution 49/55 on granting travel assistance to delegates of developing countries

Report of the Secretary-General

I. INTRODUCTION

1. The United Nations Commission on International Trade Law (UNCITRAL), when discussing at its twenty-third session the United Nations Decade of International Law, noted that the activities, suggested by the General Assembly in its resolution 44/23 of 17 November 1989, relating to the teaching, study, dissemination, wider appreciation and promotion of international trade law would have their impact in all regions, but that they would be of greatest significance in developing countries. In the same spirit, it was suggested that an attempt should be made to finance the travel of experts from developing countries, and especially from States members of the Commission, to the sessions of the Commission and its working groups so that those States would be in a better position to contribute actively to the creation of international trade law.

2. Pursuant to a request expressed by the General Assembly in paragraph 5 of its resolution 45/42 of 28 November 1990, the Secretary-General submitted to the Assembly at its forty-sixth session a report (A/46/349), analysing possible ways by which assistance could be given to developing countries that were members of the Commission, in particular the least developed countries, so that they might attend meetings of the Commission and its working groups, bearing in mind the arrangements that existed for United Nations bodies generally pursuant to section IX of resolution 43/217 of 21 December 1988.

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3. The General Assembly at its forty-sixth session adopted resolution 46/56 B of 9 December 1991 in which it requested "the Fifth Committee, in order to ensure full participation by all Member States, to consider granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, as well as, on an exceptional basis, to other developing countries that are members of the Commission at their request, in consultation with the Secretary-General, to enable them to participate in the sessions of the Commission and its working groups".

4. At its forty-seventh session the General Assembly adopted resolution 47/34 of 25 November 1992 in paragraph 12 of which it requested "the Fifth Committee, in order to ensure full participation by all Member States, to continue to consider granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, as well as, on an exceptional basis, to other developing countries that are members of the Commission at their request, in consultation with the Secretary-General, to enable them to participate in the sessions of the Commission and its working groups".

5. At its forty-eighth session the General Assembly adopted resolution 48/32 of 9 December 1993, paragraphs 5 and 6 of which read as follows:

["The General Assembly ...]

"5. Requests the Secretary-General, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to establish a separate trust fund for the Commission to grant travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

"6. Decides, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue its consideration in the competent Main Committee ... on granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General".

6. And at its forty-ninth session, the General Assembly adopted resolution 49/55 of 9 December 1994, paragraphs 6, 7 and 8 of which read as follows:

["The General Assembly ...]

"6. Welcomes the completion of the setting up of the trust fund for the United Nations Commission on International Trade Law to grant travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General, pursuant to paragraph 5 of resolution 48/32 of 9 December 1993;

"7. Appeals to Governments, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by all Member States in the sessions of the Commission and

its working groups, to make voluntary contributions to the trust fund referred to in paragraph above;

"8. Decides, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue its consideration in the competent Main Committee during the forty-ninth session of the General Assembly of granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General".

7. By the same resolution, the General Assembly also requested the Secretary-General to submit a report on the implementation of paragraph 8 of the resolution at its fiftieth session. The present report is submitted pursuant to that request.

II. THE TRUST FUND

8. The Secretary-General is responsible for the use of the trust fund referred to in paragraphs 5 and 6 above, and the fund will be administered, in accordance with its terms of reference, by the Legal Council as the programme manager of the fund.

9. The Secretary-General wishes to inform the General Assembly that, as at 1 September 1995, no contributions have been made by Member States to the Trust Fund.

III. CONTINUED CONSIDERATION IN COMPETENT MAIN COMMITTEE

10. The General Assembly may wish to take note of the present report and thereby complete its consideration of the matter.